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TITLE 3—THE PRESIDENT

PROCLAMATION 3062

MODIFICATION OF TRADE AGREEMENT CONCESSIONS AND ADJUSTMENT IN RATES OF DUTY WITH RESPECT TO CERTAIN WATCH MOVEMENTS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS, under authority of section 350 (a) of the Tariff Act of 1930, as amended, the President on January 9, 1936, entered into a trade agreement with the Swiss Federal Council, including two schedules and a declaration annexed thereto (49 Stat. (pt. 2) 3918), and by proclamation of January 9, 1936 (49 Stat. (pt. 2) 3917), proclaimed the said trade agreement, which proclamation has been supplemented by proclamation of May 7, 1936 (49 Stat. (pt. 2) 3959), and proclamation of November 28, 1940 (54 Stat. (pt. 2) 2461); and

2. WHEREAS the said trade agreement was supplemented on October 13, 1950, by certain provisions set forth in the 13th recital of the President's proclamation of November 26, 1951 (Proclamation No. 2954; 16 F. R. 11943); and

3. WHEREAS the said trade agreement includes duty concessions granted by the United States with respect to products described in item 367 (a) of Schedule II of the said trade agreement (49 Stat. (pt. 2) 3940); and

4. WHEREAS, to carry out the said trade agreement, since February 15, 1936, duties at the rates respectively specified in the said item 367 (a) have been applied to the products described in such item, which duties reflect the duty concessions granted in the said trade agreement with respect to such products; and

5. WHEREAS the United States Tariff Commission has submitted to me its report of an investigation, including a hearing, under section 7 of the Trade Agreements Extension Act of 1951, as amended, as a result of which the Commission has found that certain products described in the said item 367 (a) are, as a result in part of the duties reflecting the concessions granted thereon in the said trade agreement, being imported into the United States in such increased quantities, both actual and relative, as to cause serious injury to the domestic industries producing like or directly competitive products; and

6. WHEREAS the Tariff Commission has recommended that the duty concessions granted in the said trade agreement with respect to certain products described in the said item 367 (a) be modified to permit the application to such products of higher rates of duty hereinafter proclaimed, which rates the Commission found and reported to be necessary to remedy the serious injury to the domestic industries producing like or directly competitive products; and

7. WHEREAS section 350 (a) (2) of the Tariff Act of 1930, as amended (48 Stat. 943), authorizes the President to proclaim such modifications of existing duties as are required or appropriate to carry out any foreign trade agreement that the President has entered into under the said section 350 (a); and

8. WHEREAS upon the modification of duty concessions in the said trade agreement as recommended by the Tariff Commission it will be appropriate, to carry out the said trade agreement, as supplemented on October 13, 1950, to apply to the said products the rates of duty hereinafter proclaimed:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by section 350 of the Tariff Act of 1930, as amended, and by section 7 (c) of the Trade Agreements Extension Act of 1951, and in accordance with the said trade agreement as supplemented October 13, 1950, do proclaim—

(a) That the provisions of item 367 (a) of Schedule II of the said trade agreement shall be modified, effective at the close of business July 27, 1954, so as to read as follows:

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FEDERAL REGISTER

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(For use during 1954)

The following Supplements are now available:

Title 7: Parts 210–899 ($2.25)

Title 19, Revised 1953 ($5.00)

Title 32A, Revised Dec. 31, 1953 ($1.50)

Title 46: Part 146 to end ($6.50)

Previously announced: Title 3, 1953 Supp. ($1.50); Titles 4–5 ($0.60); Title 6 ($2.00); Title 7: Parts 1–209, Revised 1953 ($7.75); Part 900 to end ($1.25); Title 8 ($0.35); Title 9 ($0.50); Titles 10–13 ($0.50); Title 14: Parts 1–399 ($1.25); Part 400 to end ($0.50); Title 15 ($1.25); Title 16 ($1.00); Title 17 ($0.50); Title 18 ($0.45); Title 20 ($0.70); Title 21 ($1.50); Titles 22–23 ($1.00); Title 24 ($0.75); Title 25 ($0.45); Title 26: Parts 1–79, Revised 1953 ($7.75); Parts 80–169 ($0.50); Parts 170–182 ($0.75); Parts 183–299, Revised 1953 ($5.50); Part 300 to end, and Title 27 ($1.00); Titles 28–29 ($1.25); Titles 30–31 ($1.00); Title 32: Parts 1–699 ($1.75); Part 700 to end ($2.25); Title 33 ($1.25); Titles 35–37 ($0.70); Title 38 ($2.00); Title 39 ($2.00); Titles 40–42 ($0.50); Title 43 ($1.75); Titles 44–45 ($0.75); Title 46: Parts 1–145 ($0.35); Titles 47–48, Revised 1953 ($7.75); Title 49: Parts 1–70 ($0.60); Parts 71–90 ($0.65); Parts 91–164 ($0.45); Part 165 to end ($0.60); Title 50 ($0.55)

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United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
367 (a)	Watch movements, and time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, whether or not designed to be worn or carried on or about the person, all the foregoing, if under 1.77 inches wide, whether or not in cases, containers, or housings:	
	(1) Having more than 1 and not more than 17 jewels:	
	Over 1.5 inches wide	$1.25 each.
	Over 1.2 but not over 1.5 inches wide	$1.35 each.
	Over 1 but not over 1.2 inches wide	$1.35 each.
	Over 0.9 but not over 1 inch wide	$1.75 each.
	Over 0.8 but not over 0.9 inch wide	$2.00 each.
	Over 0.6 but not over 0.8 inch wide	$2.02½ each.
	0.6 inch or less wide	$2.50 each.
	(2) Having no jewels or only one jewel:	
	Over 1.5 inches wide	$0.75 each.
	Over 1.2 but not over 1.5 inches wide	$0.84 each.
	Over 1 but not over 1.2 inches wide	$0.93 each.
	Over 0.9 but not over 1.0 inch wide	$1.05 each.
	Over 0.8 but not over 0.9 inch wide	$1.12½ each.
	Over 0.6 but not over 0.8 inch wide	$1.12½ each.
	0.6 inch or less wide	$1.35 each.
	(3) Any of the foregoing having more than 7 jewels shall be subject to an additional duty of	$0.13½ for each jewel in excess of 7.
	(4) Any of the foregoing shall be subject for each adjustment of whatever kind (treating adjustment to temperature as 2 adjustments) in accordance with the marking as provided for in subparagraph (b) of paragraph 367, Tariff Act of 1930, to an additional duty of	$0.50 for each adjustment.
	(5) Any of the foregoing, if constructed or designed to operate for a period in excess of 47 hours without rewinding, or if self-winding, or if a self-winding device may be incorporated therein, shall be subject to an additional duty of.	$0.75 each.
	Provided, That this item 367 (a) shall not apply to any movement, mechanism, device, or instrument which contains less than 7 jewels if such movement, mechanism, device, or instrument contains a bushing or its equivalent (other than a substitute for a jewel) in any position customarily occupied by a jewel:	
	And provided further, That any of the foregoing articles exported to the United States on or before July 27, 1954, and there entered, or withdrawn from warehouse, for consumption before the close of business August 26, 1954, shall be subject to duty at the rates which were in effect for such articles on July 1, 1954.	

(b) That, until the President otherwise proclaims, the rates of duty specified in such modified item 367 (a) as set forth in paragraph (a) above shall be applied to articles entered, or withdrawn from warehouse, for consumption which are exported to the United States after the date of this proclamation, and shall be applied to articles exported to the United States on or before that date which are so entered or withdrawn after the close of business August 26, 1954.

The said proclamation of January 9, 1936, as supplemented, is modified accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-seventh day of July in the year of our Lord nineteen hundred [SEAL] and fifty-four, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 54-5814; Filed, July 27, 1954; 4:49 p. m.]

EXECUTIVE ORDER 10547

INSPECTION OF STATISTICAL TRANSCRIPT CARDS BY THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

By virtue of the authority vested in me by section 55 (a) of the Internal Revenue Code (53 Stat. 29; 54 Stat. 1008; 55 Stat. 722; 26 U. S. C. 55 (a)), and in the interest of the internal management of the Government and the performance of Governmental functions, it is hereby ordered that statistical transcript cards submitted with, or prepared by the Internal Revenue Service from, corporation income tax returns for the taxable years ending after June 30, 1951, and before July 1, 1952, shall be open to inspection by the Board of Governors of the Federal Reserve System as an aid in executing the powers conferred upon such Board by the Federal Reserve Act, approved December 23, 1913, 38 Stat. 251, as amended, such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the Treasury decision relating to the inspection of such transcript cards by the Board of Governors of the Federal Reserve System, approved by me this date.[1]

This executive order shall be effective upon its filing for publication in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
July 27, 1954.

[F. R. Doc. 54-5815; Filed, July 27, 1954; 4:48 p. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

PART 464—TOBACCO

SUBPART—1954 TOBACCO LOAN PROGRAM

INTEREST RATE, RECOURSE, AND DISTRIBUTION OF NET GAINS

The statement with respect to the 1954 Tobacco Loan Program, published June 17, 1954 (19 F. R. 3542), is amended as follows:

Section 464.605 is amended by deleting from the last sentence thereof the words "in cash". Section 464.605, as amended, reads as follows:

§ 464.605 *Interest rate, recourse, and distribution of net gains.* The loans made to the associations will bear interest at the rate of 3½ percent per annum and be non-recourse both as to principal and interest except in the case of misrepresentation, fraud, or failure to carry out the terms of the loan contract. Tobacco loses its identity as to original ownership through commingling in the packing process and individual producers may not redeem their tobacco once it has been pledged for loan. All proceeds of sales of the loan collateral are applied to the loan account until the loan is repaid in full. After all of the tobacco of one crop year pledged for loan by an association is marketed and the loan fully repaid, any net gains will be distributed by the association to the producers who placed the tobacco under loan unless other disposition is approved by CCC.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b)

Issued this 26th day of July 1954.

[SEAL] J. A. McCONNELL,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-5793; Filed, July 28, 1954; 8:53 a. m.]

[1] See T. D. 6081, 26 CFR 458.322, *infra*.

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 29—RETIREMENT

EXEMPTION FROM AUTOMATIC SEPARATION

A new § 29.16 is added as follows:

§ 29.16 *Exemption from automatic separation.* (a) When a department or agency wishes to secure an exemption from automatic separation for one of its employees, other than a Presidential appointee, the head of such department or agency shall submit recommendation to that effect to the Civil Service Commission.

(b) Such recommendation shall contain, (1) a statement that the employee is willing to remain in service, (2) a recital of facts tending to establish that his retention would be in the public interest, (3) the period for which the exemption is desired, which period may not exceed one year, and (4) the reasons why the simpler method of retiring the employee and immediately reemploying him because of special qualifications is not being used.

(c) Such recommendation shall be accompanied by a medical certificate showing the employee's physical fitness to perform his work.

(d) No exemption will be approved by the Civil Service Commission after the automatic separation date applicable to the employee. For this reason, the recommendation should be forwarded to the Commission at least thirty days in advance of such separation date.

(Sec. 17, 46 Stat. 478; 5 U. S. C. 709; E. O. 10530, May 10, 1954, 19 F. R. 2709)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 54-5790; Filed, July 28, 1954; 8:52 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 32]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART D—VESICULAR EXANTHEMA

MOVEMENT OF SWINE AND SWINE PRODUCTS FROM A NON-QUARANTINED AREA

Pursuant to the provisions of Sections 1 and 2 of the Act of February 2, 1903, as amended (21 U. S. C. 111–113, 120), § 76.30 of the regulations restricting the interstate movement of swine and certain swine products because of vesicular exanthema (9 CFR, 1953 Supp., 76.30, as amended; 19 F. R. 87) is hereby further amended in the following respects:

1. Subparagraph (2) of paragraph (c) of § 76.30 is amended to read:

(2) Prior to July 1, 1955, swine which have been fed raw garbage but which, for a period of 30 consecutive days just prior to the interstate movement, have been fed cooked garbage or other feeds to the exclusion of any raw garbage, which have been kept on a premise on which no raw garbage has been fed to swine during such 30-day period, and which have not come in contact with swine fed any raw garbage during such 30-day period, may be moved interstate under this subpart from a non-quarantined area, if accompanied by a certificate signed by an inspector of the Branch, an inspector employed by the State of origin of the swine, or other inspector who may be approved by the Chief of Branch for this purpose, stating that, as far as he has been able to determine, such swine have been fed cooked garbage or other feeds to the exclusion of any raw garbage for a period of 30 consecutive days just prior to the interstate movement and that a visual inspection of all swine on the premises of origin just prior to movement therefrom disclosed no indication of vesicular exanthema. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

2. Subparagraph (2) of paragraph (d) of § 76.30 is amended to read:

(2) Prior to July 1, 1955, swine products derived from swine which had been fed raw garbage but which, for a period of 30 consecutive days just prior to slaughter, had been fed cooked garbage or other feeds to the exclusion of any raw garbage, which had been kept on a premise on which no raw garbage had been fed to swine during such 30-day period, and which had not come in contact with swine fed any raw garbage during such 30-day period, may be moved interstate under this subpart from a non-quarantined area. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment is in the nature of a relief of restrictions in that it permits the interstate movement, from a non-quarantined area for any purpose, of swine which have been fed raw garbage but which have been fed cooked garbage or other feeds to the exclusion of any raw garbage for 30 days prior to such movement and of swine products derived from swine which had been fed raw garbage but which had been fed cooked garbage or other feeds to the exclusion of any raw garbage for 30 days prior to slaughter, provided the other requirements of § 76.30 (c) (2) and (d) (2) of the regulations are complied with. The amendment should be made effective immediately in order to be of maximum benefit to affected persons. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111. Interprets or applies sec. 1, 32 Stat. 791; 21 U. S. C. 120)

Done at Washington, D. C., this 23d day of July 1954.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 54-5762; Filed, July 28, 1954; 8:45 a. m.]

[B. A. I. Order 383, Revised, Amdt. 33]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART B—VESICULAR EXANTHEMA

CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123, 125), sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111–113, 120), and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117), § 76.27, as amended, Subpart B, Part 76, Title 9, Code of Federal Regulatons (19 F. R. 1367, 1597, 1947, 2226, 2247, 2516, 2693, 2981, 3296, 3861, 4073), which contains a notice of the areas in which swine are affected with vesicular exanthema, a contagious, infectious, and communicable disease, and which quarantines such areas because of said disease, is hereby further amended in the following respects:

1. Subdivisions (i), (xii), and (xiii) of subparagraph (3) of paragraph (e), relating to Essex County in Massachusetts, are amended to read:

(i) That part of the Town of Andover lying north of Rattlesnake Hill Road, east of Woburn Street, west of Wood's Road, and south of Ballardvalle Road; that part of the Town of Andover lying south of High Street, west of Greenwood Road, north of State Route No. 133, and east of Woodhill Road; that part of the Town of Andover lying south of the Lowell Branch of the Boston and Maine Railroad, east of the Shawsheen River, and west of the Western Division of the Portland Branch of the Boston and Maine Railroad; that part of the Town of Andover lying east of Bradford Street, south of Winter Street, west of Foster Street, and north of Salem Street; that part of the Town of Andover lying south and west of Rocky Hill Road, north of Gould Street, and east of State Route No. 28; that part of the Town of Andover lying southeast of Bellevue Street and west of Blanchard Street; that part of the Town of Andover lying south of Wildwood Street, north of Gould Street, east of State Route No. 28, and west of State Route No. 125; and that part of the Town of Andover lying south of Andover Street, east of the Boston and Maine Railroad, and west of Woburn Street.

* * * * *

(xii) That part of the Town of Methuen lying south of Brookdale Avenue, east of Jasper Street, west of State Route No. 110, and north of Steele Street; that part of the Town of Methuen lying south of Renfrew Street, east of Jasper Street, west of State Route No. 110, and north of Baremeadow Brook; that part of the Town of Methuen lying north of State Route No. 113, southeast

of Baremeadow Brook, and west of State Route No. 110; that part of the Town of Methuen lying north of Walton Avenue, west of the Merrimac River, south of Pitman Street, and east of State Route No. 110; that part of the Town of Methuen lying east of Howe Street, south of Archibald Street, west of Washington Street, and north of Roosevelt Street; that part of the Town of Methuen lying north and east of Forest Street, south of Pelham Street, and west of State Route No. 113; that part of the Town of Methuen lying east of Washington Street, southwest of Drew Street, and north of State Route No. 113; that part of the Town of Methuen lying north of Pitman Street, south of Gage Ferry Road, west of the Merrimac River, and east of State Route No. 110; that part of the Town of Methuen lying southwest of the Merrimac River, north of River View Boulevard, and east of State Route No. 110; that part of the Town of Methuen lying southwest of Pelham Street and northeast of Mystic Street; that part of the Town of Methuen lying east of State Route No. 110, south of Dedham Street, west of the Merrimac River, and north of Loring Street; that part of the Town of Methuen lying south of Cornlic Road, west of State Route No. 113, and east of Hampshire Street; that part of the Town of Methuen lying south of Curler Street, north of State Route No. 113, east of Howe Street, and west of Washington Street; and that part of the Town of Methuen lying south of Pitman Street, north of Wingate Avenue, west of the Merrimac River, and east of State Route No. 110.

(xiii) That part of the Town of Middleton lying southwest of State Route No. 114 and northwest of Forest Street; that part of the Town of Middleton lying northeast of State Route No. 114 and west of Essex and School Streets; that part of the Town of Middleton lying north of State Route No. 62, south of Locust Street, and east of East Street; and that part of the Town of Middleton lying southwest of Essex Street, north of State Route No. 114, and east of the Ipswich River.

2. New subdivisions (xxvii) and (xxviii) are added to subparagraph (3) of paragraph (e), relating to Essex County in Massachusetts, to read:

(xxvii) That part of the Town of Rowley lying south of State Route No. 133 and west of Boxford Road.

(xxviii) That part of the Town of Salisbury lying north of the Merrimac River, south of Beach Road, and east of U. S. Route No. 1.

3. A new subdivision (xviii) is added to subparagraph (4) of paragraph (e), relating to Hampden County in Massachusetts, to read:

(xviii) That part of the Town of Chicopee lying north of Grove Street, south of Wheatland Avenue, west of Front Street, and east of Broadway.

4. Subdivisions (ix) and (xvii) of subparagraph (5) of paragraph (e), relating to Middlesex County in Massachusetts, are amended to read:

(ix) That part of the Town of Concord lying north of Main Street, southeast of Marlborough Road, and southwest of State Route No. 2; that part of the Town of Concord lying south of Lawn Brook Road, north of the Boston and Maine Railroad, east of Old Stone Road, and west of Central Street; that part of the Town of Concord lying south of Lowell Road, north of Strawberry Hill Road, and west of the Concord River; that part of the Town of Concord lying south of the Concord River, north of the Fitchburg Turnpike, and east of Sudbury Road; that part of the Town of Concord lying north of Old Mill Road, south of State Route No. 2, east of State Route No. 62, and west of Diken Road; and that part of the Town of Concord lying north of State Route No. 2A, south of Virginia Road, and east of Bedford Road.

* * * * *

(xviii) The Town of North Reading.

5. Subdivisions (ix) and (xviii) of subparagraph (7) of paragraph (e), relating to Plymouth County in Massachusetts, are amended to read:

(ix) That part of the Town of Middleboro lying south of Smith Street, east of the New York, New Haven and Hartford Railroad, west of State Route No. 28, and north of Spruce Street; that part of the Town of Middleboro lying south of Plymouth Street, north of Centre Street, east of Vernon Street, and west of Pleasant Street; that part of the Town of Middleboro lying west of Pleasant Street, east of Vernon Street and the Poquoy River, north of Mill and Clay Streets, and south of Centre Street; that part of the Town of Middleboro lying north of River Street, and east of Auburn Street; that part of the Town of Middleboro lying south of Plain Street, north of Pleasant Street, east of Plymouth Street, and west of Thompson Street; that part of the Town of Middleboro lying south of Grove Street, north of Vaughan and Cherry Streets, east of Main Street, and west of Cherry Street; and that part of the Town of Middleboro lying south of Miller and Highland Streets, north of Spruce Street, east of Marion Road, and west of Highland Street.

* * * * *

(xviii) That part of the Town of East Bridgewater lying west of State Route No. 18; that part of the Town of East Bridgewater lying north of Highland Street, south of Winter Street, east of Elm Street, and west of Bedford Street; that part of the Town of East Bridgewater lying south of Plymouth and Whitman Streets, east of East Street, and west of Bridge Street; and that part of the Town of East Bridgewater lying south of Pine Street, north of Central Street, east of Walnut Street, and west of Washington Street.

6. Subdivision (ii) of subparagraph (1) of paragraph (i), relating to Bristol County in Rhode Island, is amended to read:

(ii) That part of the Town of Bristol lying north of Chestnut Street, south of Bayview Avenue, east of Metacom Avenue, and west of Hope Street; that part of the Town of Bristol lying south of Mount Hope Avenue, north of Woodlawn Avenue, west of Metacom Avenue, and east of DeWolfe Avenue; that part of the Town of Bristol lying south of Massasoit Avenue, north of Tower Street, west of the Kickamuit River, and east of Metacom Avenue; and that part of the Town of Bristol lying south of Hopewood Avenue, north of King Philip Avenue, west of Mount Hope Bay, and east of Metacom Avenue.

7. Subdivision (iv) of subparagraph (2) of paragraph (i), relating to Providence County in Rhode Island, is amended to read:

(iv) That part of the City of Providence lying east of Hamlin Street, west of Elena Street, north of Olney Street, and south of Mineral Spring Avenue; and that part of the City of Providence lying south of Swan Point Cemetery, north of Gulf Avenue, west of the Seekonk River, and east of Grotto Avenue.

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes certain areas in Massachusetts and Rhode Island from the areas in which vesicular exanthema has been found to exist and in which a quarantine has been established. Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1953 Supp., Part 76, Subpart B, as amended, will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas, contained in said Subpart D, as amended, will apply thereto.

The amendment relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111. Interprets or applies sec. 7, 23 Stat. 32, as amended, sec. 1, 32 Stat. 791, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 117, 120, 123, 125)

Done at Washington, D. C., this 21st day of July 1954.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 54-5763; Filed, July 28, 1954; 8:45 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[7th Gen. Rev. of Export Regs., Amdt. 5 [1]]

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

MISCELLANEOUS AMENDMENTS

1. Section 372.6 *License applications for in-transit shipments* paragraph (b) *Applicability of special provisions* is amended by deleting the words: "Belgian Congo and * * *". The remainder of the paragraph is unchanged.

2. Section 373.41 *Nonferrous commodities, including ores, concentrates, or unrefined products,* paragraph (e) *Nickel-bearing cobalt and alloy scrap* is amended in the following particular:

The introductory text of subparagraph (1) *Nickel-bearing alloy scrap under toll or conversion arrangements* is amended to read as follows:

[1] This amendment was published in Current Export Bulletin No. 733, dated July 22, 1954, and in the reprint pages, dated July 22, 1954.

(1) *Nickel-bearing alloy scrap under toll or conversion arrangement.* Applications based on toll or conversion arrangements proposing the exportation of clean or contaminated nickel-bearing alloy scrap, Schedule B No. 654502, containing no more than 67 percent nickel, shall be supported by the certification in subdivision (iii) of this subparagraph. Such applications proposing exportation of contaminated nickel-bearing alloy scrap containing more than 67 percent nickel shall be supported by the information required by subdivisions (i), (ii) and (iii) of this subparagraph. Clean nickel-bearing alloy scrap containing more than 67 percent nickel will not be considered for licensing.

3. Section 373.66 *Austria, the Belgian Congo, or Sweden* is amended in the following particulars:

a. The title of § 373.66 is amended to read: "§ 373.66 *Austria or Sweden*".

b. The first sentence of paragraph (a) is amended by deleting the words: "the Belgian Congo".

The remainder of the paragraph is unchanged.

4. § 380.2 *Amendments or alterations of licenses* is amended in the following particulars:

Subparagraph (5) of paragraph (e) *Changes which require neither amendment nor new license* is amended to read as follows:

(5) Change in address of purchaser or ultimate consignee; provided that the new address is located within the same country shown on the export license.

5. Section 382.51 *Table of compliance orders currently in effect denying export privileges,* paragraph (b) *Table of compliance orders* is amended in the following particulars:

a. The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
American Iron and Metals, Inc., 2213 Latimer St., Dallas, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.) (Related to Commercial Metals Co., et al., which see.)	19 F. R. 4095, 7-3-54.
Broad, Louis G., of Commercial Metals Co., P. O. Box 1046, Latimer at Corinth, Dallas 1, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.)	19 F. R. 4095, 7-3-54.
Commercial Construction Co. of Texas, Inc., 2512 Corinth St., Dallas, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.) (Related to Commercial Metals Co., et al., which see.)	19 F. R. 4095, 7-3-54.
Commercial Metals Co., P. O. Box 1046 Latimer at Corinth, Dallas 1, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.)	19 F. R. 4095, 7-3-54.
Com-Met Corp., 20 Exchange Pl., New York, N. Y.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.) (Related to Commercial Metals Co., et al., which see.)	19 F. R. 4095, 7-3-54.
Feldman, Jacob, of Commercial Metals Co., P. O. Box 1046, Latimer at Corinth, Dallas 1, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.)	19 F. R. 4095, 7-3-54.
Flores, Arturo, Flores & Cia, Arturo, 427 Washington St., Eagle Pass, Tex., and/or Edificio Salart, Despacho No. 2-4, Piedras Negras, Coahuila, Mexico.	7- 5-54	7-18-54	General and validated, all commodities, except shipments to La Consolidada, S. A., Piedras Negras, Mexico.	19 F. R. 4112, 7-7-54.
Harley, Charles Co. of Los Angeles, Harley, Charles Co. of San Francisco, 3045 E. Washington Blvd., Los Angeles, Calif., and/or 630 7th St., San Francisco, Calif.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.) (Related to Commercial Metals Co., et al., which see.)	19 F. R. 4095, 7-3-54.
Hutchison Pipe & Waste Material Co., 601-609 N. Throckmorton St., Fort Worth, Tex.	6- 1-54	12- 1-54	....do....	19 F. R. 4095, 7-3-54.
Lerner, Sidney M., of Commercial Metals Co., P. O. Box 1046, Latimer at Corinth, Dallas 1, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.)	19 F. R. 4095, 7-3-54.
Merritt, Charles W., of Commercial Metals Co., P. O. Box 1046, Latimer at Corinth, Dallas 1, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.)	19 F. R. 4095, 7-3-54.
Metals Detroit, Inc., 514 Stephenson Bldg., Detroit, Mich.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.) (Related to Commercial Metals Co., et al., which see.)	19 F. R. 4095, 7-3-54.
Perea, Metias Mendoza, Edificio Salart, Despacho No. 2-4, Piedras Negras, Coahuila, Mexico.	7- 5-54	7-18-54	General and validated, all commodities, except shipments to La Consolidada, S. A., Piedras Negras, Mexico.	19 F. R. 4112, 7-7-54.
Standard International Corp., Clifford Chemicals Division, Standard International Corp., 120 Broadway, New York 38, N. Y.	7-14-54	8-13-54	General and validated, all commodities on Positive List coded SALT and DRUG, to all destinations, excluding Canada.	19 F. R. 4429 7-17-54.
Stein, Steven, 110-37 65th Ave., Forest Hills, N. Y.	7-14-54	7-14-55	General and validated, all commodities, any destination, excluding Canada.	19 F. R. 4429, 7-17-54.
Watson, J. W., of Commercial Metals Co., P. O. Box 1046, Latimer at Corinth, Dallas 1, Tex.	6- 1-54	12- 1-54	General and validated, all commodities, to Mexico. (On probation for additional period 12-2-54—6-1-55.)	19 F. R. 4095, 7-3-54.

b. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Bischof, Bruno, Canovagasse 7, Vienna 1, Austria.	5-21-54	7-19-54	General and validated, all commodities, any destination.	19 F. R. 2432, 4-24-54.
Bruno Bischof Internationale Speditions Unternehmung, Canovagasse 7, Vienna 1, Austria.	5-21-54	7-19-54	....do....	19 F. R. 2432, 4-24-54.
Flight Equipment and Engineering Corp., P. O. Box 38, Miami, Fla.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities, any destination. (Related to L. K. Kung, which see.)	16 F. R. 5845, 6-19-51.
Flores, Arturo, Flores & Cia, Arturo, 427 Washington St., Eagle Pass, Tex., and/or Edificio Salart, Despacho No. 2-4, Piedras Negras, Coahuila, Mexico.	7- 5-54	7-18-54	General and validated, all commodities, except shipments to La Consolidada, S. A., Piedras Negras, Mexico.	19 F. R. 4112, 7-7-54.
Perea, Metias Mendoza, Edificio Salart, Despacho No. 2-4, Piedras Negras, Coahuila, Mexico.	7- 5-54	7-18-54	General and validated, all commodities, except shipments to La Consolidada, S. A., Piedras Negras, Mexico.	19 F. R. 4112, 7-7-54.
Tauben, Sheldon F., 92 Liberty St., New York, N. Y.	6- 3-54	6-12-54	General and validated, all commodities, any destination; also exports to Canada.	19 F. R. 3403, 6-9-54.

c. The following entry is amended to read:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Mindell, David L., 2240 Lincoln Ave., Miami 33, Fla.	5-6-54	6-11-54	General and validated, all commodities, any destination. (On probation for additional period 6-12-54 to 5-7-55.)	19 F. R. 2704, 5-11-54. 19 F. R. 3971, 6-30-54.

This amendment shall become effective as of July 22, 1954.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945; 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

[SEAL]

KARL L. ANDERSON,
Acting Director,
Bureau of Foreign Commerce.

[F. R. Doc. 54-5765; Filed, July 23, 1954; 8:45 a. m.]

[7th Gen. Rev. of Export Regs., Amdt. P. L. 5 [1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required
002300	Lenses for photomicrographic, oscillograph, and similar cameras, and high speed cameras capable of recording at rates in excess of 250 frames per second.[1]	No.	FILM	None	RO

[1] This commodity is subject to the IC/DV procedure (see § 373.2 of this subchapter), effective Sept. 7, 1954, and may be exported under the Foreign Distribution licensing procedure (see Part 378 of this subchapter).

This part of the amendment shall become effective as of 12:01 a. m., July 29, 1954.

2. The revised entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a Schedule B number, the entry to be superseded is identified by a numerical reference in parentheses following the commodity description in the revised entry:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required
823110	Raw optical glass (tinted or untinted) as follows: blocks, plates (slabs), pressings and moulds (except rough-moulded lenses and prisms) with a unit weight of more than 0.5 kilograms; rough-moulded lenses with a unit weight of more than 0.2 kilograms; and rough-moulded prisms.[22]	No. and lb.	SATE	25	RO
	Earth and rock drilling machines, n. e. e., and parts, n. e. e.:				
	Well drilling machines, and parts (report oil-country tubular products in 606210-606290):				
731000	Cable tool drill rigs (including truck or trailer-mounted).[3]	No.	MINE 4	None	R
732000	Parts and accessories, n. e. e., specially fabricated for cable tool well drilling machines.[3 17 23]	----------	MINE 4	500	R
732000	Parts and accessories, n. e. e., specially fabricated for rotary well drilling machines.[23 23]	----------	MINE 4	500	RO
763060	Rubber processing, rubber-working, and rubber products manufacturing machines, n. e. e., and specially fabricated parts, n. e. e., except rubber insulating machines and specially fabricated parts, n. e. e. (specify by name).[24]	----------	GIEQ	500	RO
770790	Electrostatic precipitators, precipitron type, and specially fabricated parts, n. e. e. (formerly 770790 and 775360) (report electrostatic precipitators, Cottrell type, in 775360). (1) [18]	----------	GIEQ 18	None	RO
770995	Parts, n. e. e., specially fabricated for pumps included on the Positive List under Schedule B Nos. 770900 through 770980. (Complete knockdown pumps should be reported in the proper pump classifications, whether the integral components are shipped simultaneously or in a series of partial shipments.) (1) [25]	----------	CONS 3	500	RO
	Separators and collectors, industrial process type, n. e. e., and specially fabricated accessories and parts, n. e. e. (specify by name) (report ore and coal separating machines in 730750; and electrostatic precipitators, precipitron type, in 770790):				
775360	Electrostatic precipitators, Cottrell type, and specially fabricated parts, n. e. e. (formerly 770790). (6 and 7) [1 26]	----------	GIEQ	250	R

[1] The GLV dollar-value limit is increased.
[3] The processing code is changed or related commodity group number is changed (see § 372.5 (f) of this subchapter).
[4] The letter "A" is deleted in the column headed "Commodity Lists," indicating that the commodity is no longer subject to the IC/DV procedure (see § 373.2 of this subchapter).
[17] The destination control is changed from RO to R.
[18] The commodity description is revised without substantive change.
[22] Other optical instrument glass and glass blanks are deleted.
[23] Two entries are substituted for the present entry.
[24] Rubber insulating machines, and specially fabricated parts, n. e. e., were deleted, effective July 1, 1954 (see Amendment P. L. No. 3, 19 F. R. 4349).
[25] Parts, n. e. e., specially fabricated for pumps, which are classified under Schedule B Nos. 770900 through 770950, and 770980, but which are no longer on the Positive List, are deleted.
[26] The unit of quantity for Cottrell type electrostatic precipitators is deleted and, effective August 21, 1954, the letter "F" is deleted in the column headed "Commodity Lists," indicating that the commodity may no longer be exported under the Foreign Distribution licensing procedure (see Part 378 of this subchapter). The destination control is changed from RO to R for specially fabricated parts for Cottrell type electrostatic precipitators.

This part of the amendment shall become effective as of July 22, 1954, unless otherwise indicated in the footnotes.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in Part 1 of this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., July 29, 1954, may be exported under the previous general license provisions up to and including August 21, 1954. Any such shipment not laden aboard the exporting carrier on or before August 21, 1954, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

KARL L. ANDERSON,
Acting Director,
Bureau of Foreign Commerce.

[F. R. Doc. 54-5766; Filed, July 28, 1954; 8:46 a. m.]

[1] This amendment was published in Current Export Bulletin No. 733, dated July 22, 1954.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5906]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BLACKSTONE COLLEGE OF LAW, INC., ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.15 *Business status, advantages, or connections:* Individual or private business as educational, religious or research institution; § 3.55 *Demand, business or other opportunities;* § 3.205 *Scientific or other relevant facts.* Subpart—*Using misleading name:* Vendor: § 3.2410 *Individual or private business being educational, religious or research institution or organization.* In connection with the offering for sale, sale, and distribution in commerce, of courses of study and instruction: (1) Representing directly or by implication that recipients of respondents' purported academic degrees in law or others successfully completing respondents' course of study through correspondence will be admitted to or are otherwise eligible to participate in bar examinations, unless such representations are expressly limited to those states (specifically named) wherein the requirements for education and legal training requisite to participating in such examinatons are fulfilled solely by completon of a course of legal study through correspondence; and (2) using the word "college" or any word or words of similar import or meaning in the corporate name or in any other manner to designate or refer to respondents' school, unless, in bulletins, lesson material, textbooks, diplomas, and other promotional material, and sales presentations whenever used, it is clearly and conspicuously stated in immediate conjunction with such word or words that respondents' enterprise is a correspondence school without resident facilities or that it is "a correspondence institution" or "an institution for correspondence students"; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, Blackstone College of Law, Inc. (Chicago, Ill.) et al., Docket 5906, June 29, 1954]

In the Matter of Blackstone College of Law, Inc., a Corporation, and Harold R. Lister (erroneously Named in the Complaint as Harold L. Lister), Individually and as an Officer of Said Corporation

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on July 18, 1951, issued and subsequently served its complaint in this proceeding upon the parties named above, charging them with the use of unfair and deceptive acts and practices in violation of the provisions of that act. After the filing of respondents' answer, hearings were held before a hearing examiner of the Commission, duly designated to act in this proceeding, and testimony and other evidence were introduced and duly recorded and filed in the office of the Commission. On April 4, 1952, the hearing examiner filed his initial decision sustaining certain allegations of the complaint and closing the proceeding without prejudice insofar as it related to others and, within the period of time permitted by the Commission's rules of practice, counsel supporting the complaint appealed from that initial decision.

This matter came on for final hearing upon the entire record, including the brief in support of the appeal and the brief filed by counsel for respondents in opposition to such appeal. The Commission, for the reasons stated in the opinion which is separately issuing herein,[1] having determined that the rulings of the initial decision which are specifically excepted to in the appeal were erroneous rulings and that they should be reversed, hereby grants the appeal of counsel supporting the complaint; and being of the opinion that this proceeding is in the interest of the public, the Commission hereby issues its findings as to the facts,[1] conclusion,[1] and order, the same to be in lieu of the initial decision of the hearing examiner.

It is ordered, That the respondent Blackstone College of Law, Inc., a corporation, and its officers, agents, representatives and employees, and respondent Harold R. Lister, as an officer of said corporation, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of courses of study and instruction, do forthwith cease and desist from:

(1) Representing directly or by implication that recipients of respondents' purported academic degrees in law or others successfully completing respondents' course of study through correspondence will be admitted to or are otherwise eligible to participate in bar examinations, unless such representations are expressly limited to those states (specifically named) wherein the requirements for education and legal training requisite to participating in such examinations are fulfilled solely by completion of a course of legal study through correspondence.

(2) Using the word "college" or any word or words of similar import or meaning in the corporate name or in any other manner to designate or refer to respondents' school, unless, in bulletins, lesson material, textbooks, diplomas and other promotional material, and sales presentations whenever used, it is clearly and conspicuously stated in immediate conjunction with such word or words that respondents' enterprise is a correspondence school without resident facilities or that it is "a correspondence institution" or "an institution for correspondence students."

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 29, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 54-5786; Filed, July 28, 1954; 8:51 a. m.]

[Docket 5907]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LASALLE EXTENSION UNIVERSITY

Subpart—*Advertising falsely or misleadingly:* § 3.55 *Demand, business or other opportunities;* § 3.205 *Scientific or other relevant facts.* In connection with the offering for sale, sale, and distribution in commerce, of courses of study and instruction: Representing, directly or by implication, that recipients of respondent's purported academic degrees in law or others satisfactorily completing respondent's course of study through correspondence will be admitted to or are otherwise eligible to participate in bar examinations, unless such representations are expressly limited to those states (specifically named) wherein the requirements for education and legal training requisite to participating in such examinations are fulfilled solely by completion of a course of legal study through correpondence; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, LaSalle Extension University, Chicago, Ill., Docket 5907, June 29, 1954]

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on July 18, 1951, issued and subsequently served its complaint in this proceeding upon the respondent named above, charging it with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of that act. After the filing of respondent's answer, hearings were held before a hearing examiner of the Commission, duly designated to act in this proceeding, and testimony and other evidence were introduced and duly recorded and filed in the office of the Commission. On April 4, 1952, the hearing examiner filed his initial decision containing provision for dismissal of the complaint and, within the period of time permitted by the Commission's rules of practice, counsel supporting the complaint appealed from that initial decision.

This matter came on for final hearing upon the entire record, including the briefs filed in support of and in opposition to such appeal and the oral arguments of counsel. The Commission, for the reasons stated in the opinion which is separately issuing herein,[1] having determined that such appeal should be granted in part and denied in part, hereby grants the appeal of counsel supporting the complaint to the extent noted in that opinion but otherwise denies such appeal; and being of the opinion that this proceeding is in the interest of the public, the Commission hereby issues its findings as to the facts,[1] conclusion,[1] and order, the same to be in lieu of the initial decision of the hearing examiner.

It is ordered, That respondent, LaSalle Extension University, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of courses of study and instruction, do forthwith cease and desist from representing, directly or by implication, that recipients of respondent's purported academic degrees in law or others satisfactorily completing respondent's course of study through correspondence will be admitted to or are otherwise eligible to participate in bar examinations, unless such representations are expressly limited to those states (specifically named) wherein the requirements for education and legal training requisite to participating in such examinations are fulfilled solely by completion of a course of legal study through correspondence.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: June 29, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 54-5787; Filed, July 28, 1954; 8:51 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 6081]

PART 458—INSPECTION OF RETURNS

INSPECTION BY THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM OF STATISTICAL TRANSCRIPT CARDS SUBMITTED WITH, OR PREPARED FROM, CORPORATION INCOME TAX RETURNS[2]

§ 458.322 *Inspection by Board of Governors of Federal Reserve System of*

[1] Filed as part of original document.

[2] See Executive Order 10547, *supra.*

statistical transcript cards submitted with, or prepared from, corporation income tax returns. (a) Pursuant to the provisions of section 55 (a) of the Internal Revenue Code (53 Stat. 29; 54 Stat. 1008; 55 Stat. 722; 26 U. S. C. 55 (a)), and in the interest of the internal management of the Government and the performance of Governmental functions, statistical transcript cards submitted with, or prepared by the Internal Revenue Service from, corporation income tax returns for the taxable years ending after June 30, 1951, and before July 1, 1952, shall be open to inspection by the Board of Governors of the Federal Reserve System as an aid in executing the powers conferred upon such Board by the Federal Reserve Act, approved December 23, 1913, 38 Stat. 251, as amended. The inspection of such transcript cards herein authorized may be made by any officer or employee of the Board of Governors of the Federal Reserve System, or any officer or employee of the Federal Reserve Bank of New York, to the extent that such officer or employee of such Board or Bank has been duly authorized by the Chairman of such Board of Governors to make such inspection. Upon written notice by the Chairman of the Board of Governors of the Federal Reserve System to the Secretary of the Treasury, stating the type of statistical transcript cards of which inspection is desired, the Secretary or any officer or employee of the Treasury Department, with the approval of the Secretary, may furnish the Board of Governors of the Federal Reserve System with any data on such cards or may make such cards available for the taking of such data as the Chairman of the Board of Governors of the Federal Reserve System may designate. Any information thus obtained shall be held confidential except to the extent that it shall be published or disclosed in statistical form, provided such publication shall not disclose, directly or indirectly, the name or address of any taxpayer.

(b) This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

(53 Stat. 467; 26 U. S. C. 3791)

G. M. HUMPHREY,
Secretary of the Treasury.

Approved: July 27, 1954.

DWIGHT D. EISENHOWER,
The White House.

[F. R. Doc. 54-5816; Filed, July 27, 1954; 4:48 p. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 5—LABOR STANDARDS PROVISIONS APPLICABLE TO CONTRACTS COVERING FEDERALLY FINANCED AND ASSISTED CONSTRUCTION

CONTRACTS PROVISIONS

The regulations contained in § 5.5 are hereby amended in the following manner: [1]

1. Paragraphs (a) and (b) are not changed.

2. Delete paragraph (c) and substitute the following paragraphs (c), (d), and (e):

(c) In any Federal construction contracts of $2,000 or less, in lieu of the provisions required by paragraphs (a) and (b) of this section, The Agency Head may cause or require to be inserted the following provisions:

EIGHT-HOUR LAWS—OVERTIME COMPENSATION

The Eight-Hour Laws (40 U. S. C. 321-326) are applicable to this contract. (In substance they provide that laborers and mechanics employed by the contractor or his sub-contractors shall be paid not less than time and a half for work in excess of eight hours a day. Violations are punishable as prescribed in 40 U. S. C. 322 and 324).

NON-REBATE OF WAGES

The regulations issued by the Secretary of Labor (Part 3 of this title) pursuant to the Anti-Kickback Act, as amended (40 U. S. C. 276 (c), 18 U. S. C. 874), are applicable to this contract. (In substance, they provide that no deductions may be made from wages except those required by law or permitted by the regulations, that contractors and subcontractors shall preserve for three years after completion of the work payrolls which contain for each employee his name, address, correct classification, deductions made, and actual wages paid, and shall submit weekly an affidavit of compliance, the form of which is stated in the regulations.)

SUBCONTRACTS—TERMINATION

The contractor agrees to insert the foregoing clauses in all subcontracts. Breach of the requirements of such clauses may be ground for termination of this contract. The term "contractor" as used in such clauses in any subcontract shall be deemed to refer to the subcontractor.

(d) In contracts for construction financed through loans or grants made pursuant to Title III of the Defense Housing and Community Facilities and Services Act of 1951, the Agency Head shall cause or require inclusion of the following stipulation:

The wages of every laborer and mechanic employed by the contractor or any subcontractor engaged in the performance of this contract shall be computed on a basic day rate of eight hours per day and work in excess of eight hours per day is permitted upon compensation for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay.

(e) The provisions required to be included in the contracts by this section shall be physically included in the contracts. Incorporation of these provisions by reference is not compliance with the provisions of this section.

(63 Stat. 203, 64 Stat. 967; 5 U. S. C. 133z, 20 U. S. C. 251. Reorg. Plan No. 14 of 1950, 15 F. R. 3176; 3 CFR, 1950 Supp.)

Signed at Washington, D. C., this 22d day of July 1954.

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 54-5789; Filed, July 28, 1954; 8:52 a. m.]

[1] Note that this amendment does not affect non-Federal construction programs covered by regulations, Part 5 and accordingly, for such programs, existent stocks of regulations, Part 5 will be used until exhausted.

Chapter V—Wage and Hour Division, Department of Labor

PART 779—RETAIL OR SERVICE ESTABLISHMENT AND RELATED EXEMPTIONS

FEED DEALERS

Pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended, 29 U. S. C. 201 et seq.), and notice published in the December 17, 1953, issue of the FEDERAL REGISTER (18 F. R. 8457), Part 779 (29 CFR Part 779) is hereby amended by the addition of § 779.31 to read as follows:

§ 779.31 *Application of the 13 (a) (2) and 13 (a) (4) exemptions to feed dealers.* (a) It is the purpose of this section to show generally how the principles governing the application of the 13 (a) (2) and the 13 (a) (4) exemptions apply to feed dealers' establishments, particularly where the establishment is engaged in performing certain processing operations on the feed it sells.

(b) In applying the tests of the 13 (a) (2) exemption all sales of feed to feeders will be considered to be retail sales except any sale of feed for shipment by rail car direct to the feeder and sales made at a quantity discount which results in a price comparable to or lower than the establishment's price to dealers for resale or, if the establishment makes no sales to other dealers, in a price comparable to or lower than the price prevailing in the immediate area in sales by similar establishments to dealers for resale. The custom grinding and mixing of feed (including the addition of supplements) for feeders from the grain they themselves bring in will be regarded as the performance of a service, and not the making or processing of goods under section 13 (a) (4). Such services are recognized as retail services in the industry and the revenue derived therefrom will be included with the retail receipts of the establishment. Where the establishment meets the tests of the 13 (a) (2) exemption (see § 779.6) all employees employed by the establishment, except any employees who are engaged in the making or processing of feed, will be exempt. The status of the employees who are engaged in the making or processing of feed must be determined under section 13 (a) (4), discussed in paragraph (c) of this section.

(c) Employees employed in the grinding and mixing of feed for sale (as distinguished from the grinding and mixing services discussed in paragraph (b) of this section) are engaged in the making or processing of goods and are therefore not exempt under section 13 (a) (2). In order for those employees to be exempt, the establishment by which they are employed must meet the tests of the 13 (a) (4) exemption (see § 779.18). One of the requirements of that exemption is that the establishment must be recognized as a retail establishment in the particular industry. The typical small feed mill engaged in selling goods to farmers appears to be recognized as retail in the industry. There are, of course, large mills which are essentially factories which are not so recognized. As an enforcement policy an establishment will

be considered to have met this requirement (1) if less than 50 percent of its sales are composed of feed manufactured at the establishment; (2) if its sales of feeds manufactured at the establishment constitute more than 50 percent of the total sales of the establishment but do not exceed 2,000 tons a year. In determining the applicability of the exemption, computation of the sales of feed manufactured will be made on the basis of the annual (12 calendar months) period which immediately precedes the current calendar quarter in the same manner as set forth in § 779.17 for the period of time for the computation of sales.

(52 Stat. 1060, as amended; 29 U. S. C. 201–219)

Signed at Washington, D. C., this 23d day of July 1954.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 54-5772; Filed, July 28, 1954; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

MISCELLANEOUS AMENDMENTS

In § 536.27, paragraph (c) (8) and the opening sentences of paragraph (q) (1) and (2) are rescinded and the following substituted therefor:

§ 536.27 *Claims of military personnel and civilian employees for property damaged, lost, destroyed, captured, or abandoned incident to their service.* • • •

(c) *Claims not payable.* • • •

(8) *Thefts.* Unless arising under the example in paragraph (b) (2) (i) (c) of this section or unless occurring in circumstances of combat service or public disaster, or while serving in foreign countries under conditions of a clearly greater than usual risk of theft and all reasonable precautions for the protection of personal property has been invoked.

• • • • •

(q) *Claims*—(1) *Form to be used.* Claims for property damaged, lost, destroyed, captured, or abandoned in the service normally will be presented on DA Form 1089 (Claim for Personal Property), in triplicate. However, any claims conforming to the requirements of § 536.4 (b), will be accepted, provided it affirmatively shows:

• • • • •

(2) *Evidence to be submitted by claimant.* Requirements as to evidence are covered generally in § 536.4 (c). However, except in cases involving small claims under this section, certain specific types of evidence are required in particular classes of claims as follows:

• • • • •

[C1, AR 25–100, July 14, 1954] (59 Stat. 225, as amended; 31 U. S. C. 222c)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-5788; Filed, July 28, 1954; 8:52 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 82—DEPOSITS AND ISSUE OF CERTIFICATES

PART 83—INTEREST

PART 84—PAYMENT OF CERTIFICATES AND INTEREST

MISCELLANEOUS AMENDMENTS

A. In Part 82, Deposits and issue of certificates, make the following changes:

1. Amend § 82.13 *Form and denominations of certificates* to read as follows:

§ 82.13 *Form and denominations of certificates.* (a) Postal savings deposits made on or after September 1, 1954, shall be evidenced by nontransferable and nonnegotiable prepunched card postal savings certificates of deposit to be supplied to postmasters in fixed denominations of $1, $5, $10, $20, $50, $100, $200, $500, $1,000, and $2,500 and each denomination bound in a separate book. On each book the front cover is printed to show the beginning and ending serial numbers of the certificates in the book and serially in 25 spaces the last two digits of each certificate in the book. A general numerical series of certificates of each denomination shall be supplied on which the name of the issuing office shall be written or stamped by the postmaster.

(b) Postal savings certificates issued prior to September 1, 1954, shall be valid until surrendered.

2. Amend § 82.15, *Entries on certificates and stubs* to read as follows:

§ 82.15 *Entries on certificates.* Each consecutively numbered certificate when issued shall bear the name of the issuing office, the date of issue, the name of the depositor, and the number of his account. To facilitate the issue of certificates, a rubber stamp will be furnished to each post office which will bear the name of the office, and station if any, and the date of issue. The depositor's name inscribed on the certificate shall conform exactly with the signature on the depositor's account card (Form PS 600). No other entries shall be made on certificates except as authorized by these regulations. (See §§ 82.20 and 82.21 for correction of errors.)

3. Amend § 82.16 *Interest date of certificate* to read as follows:

§ 82.16 *Interest date of certificate.* Certificates issued on any day of a month shall begin to bear interest on the first day of the next succeeding month whether they are issued to evidence a new deposit or in lieu of certificates surrendered for payment of interest or for part payment of principal.

4. In § 82.17 *Procedure on receipt of deposit* amend paragraphs (a) and (c) to read as follows:

(a) On receipt of a deposit the postmaster shall prepare a postal savings certificate or certificates covering the amount of the deposit and enter on the depositor's card (Form PS 600) the date of the deposit, the amount of the deposit, serial number of each certificate issued, and the balance then to the depositor's credit.

(c) Depositors should be cautioned not to fold the certificates or mutilate them in any manner.

5. In § 82.20 *Correction of errors* amend paragraph (a) to read as follows:

(a) *In issuing certificates.* If an error made in issuing a certificate is discovered before the issue is recorded and the certificate delivered, the postmaster shall stamp the certificate "Spoiled," enter "Spoiled" opposite the serial number of the certificate on the front cover page of the certificate book and issue the certificate bearing the next serial number.

6. In § 82.22 *Certificates lost, stolen, or destroyed* amend paragraph (b) to read as follows:

(b) *Reissue.* If it is deemed proper, new certificates of the same denomination, date, and number, but distinguishable from the original, shall be issued by the Assistant Postmaster General, Bureau of Finance, Division of Postal Savings, and forwarded to the postmaster, who shall verify all entries on the new certificates, giving particular attention to the "Date when interest begins" on the old-style paper certificates and the date of issue on certificates of the 1954 series. The postmaster shall record the reissue of a certificate on the depositor's card (Form PS 600) by writing the letter "R" in red adjacent to the serial number of the certificate and deliver the new certificate to the depositor.

B. In Part 83, Interest, make the following changes:

1. In § 83.2 *Classification of deposits: legal restrictions* amend the first paragraph of the note to read as follows:

NOTE: *Mississippi.* The maximum yearly interest rate payable on savings deposits by banks, trust companies, and savings banks in the State of Mississippi was reduced to 1 percent, effective January 1, 1945; and, accordingly, as required by the provisions of this section, the yearly rate on postal savings deposits in that State was reduced as of March 1, 1945, from 2 percent to 1 percent. The maximum yearly interest rate payable on savings deposits by banks, trust companies, and savings banks in Mississippi was increased from 1 to 1½ percent, effective January 1, 1954, and the yearly rate on postal savings deposits in that State was increased as of the same date from 1 to 1½ percent.

2. Amend § 83.3 *Payment of interest and method of computation* to read as follows:

§ 83.3 *Payment of interest and method of computation.* (a) Interest

shall be paid only upon the surrender of the certificate evidencing the deposit. Interest shall be compounded annually on whole-dollar amounts on all deposits represented by certificates issued on or after September 1, 1954. Interest shall be computed from the first day of the month following the date of issue of certificates. Between annual periods or for periods of less than one year simple interest will be allowed quarterly on such deposits.

(b) Deposits made before September 1, 1954, shall continue to earn simple interest on a quarterly basis until the certificates representing such deposits are surrendered. Interest on these deposits shall be computed from the "Date when interest begins" given on the certificates.

3. Section 83.4 *Compound interest not allowed* is rescinded.

C. In Part 84, Payment of certificates and Interest, make the following changes:

Amend § 84.1 *Payment made on demand* to read as follows:

§ 84.1 *Payment made on demand.* Any depositor may withdraw the whole or any part of the funds deposited to his or her credit, with the accrued interest, upon demand. If a withdrawal is made, however, of deposits made within one month from the date of issue stated on the certificate or certificates surrendered, there shall be a service charge of 10 cents for each certificate (regardless of denomination) surrendered.

(R. S. 161, 396, secs. 1, 7, 8, 36, Stat. 814, 816, as amended, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 751, 757, 758)

[SEAL] ABE MCGREGOR GOFF, *The Solicitor.*

[F. R. Doc. 54-5810; Filed, July 28, 1954; 8:53 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 121—SOUTHEASTERN ALASKA AREA, SUMNER STRAIT DISTRICT, SALMON FISHERIES

CLOSED WATERS; BRADFIELD CANAL

Basis and purpose. Since satisfactory salmon escapements have already been achieved in the Bradfield Canal area of the Sumner Strait district, it has been determined that additional fishing waters can be opened without endangering the runs.

Therefore, effective at 6 o'clock antemeridian July 29 § 121.11 is amended in paragraph (s) to read as follows:

§ 121.11 *Closed waters.* * * *

(s) Bradfield Canal: All waters north and east of a point at 56 degrees 12 minutes north latitude, 131 degrees 53 minutes 10 seconds west longitude.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

Dated: July 28, 1954.

JOHN L. FARLEY, *Director.*

[F. R. Doc. 54-5837; Filed, July 28, 1954; 11:35 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 969]

HANDLING OF AVOCADOS GROWN IN SOUTH FLORIDA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVAL OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR INITIAL FISCAL YEAR

Consideration is being given to the following proposals by the Avocado Administrative Committee established under the Marketing Agreement and Order No. 69 (7 CFR Part 969; 19 F. R. 3439) regulating the handling of avocados grown in South Florida, effective June 11, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $12,000 will be necessarily incurred by said committee during the initial fiscal year (June 11, 1954, through March 31, 1955) for its maintenance and functioning under the aforesaid marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first handles avocados shall pay during the initial fiscal year in accordance with the aforesaid order, the rate of assessment of $0.04 per bushel, or equivalent quantity of avocados handled by such handler during such initial fiscal year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 26, 1954.

[SEAL] S. R. SMITH, *Director, Fruit and Vegetable Division, Agricultural Marketing Service.*

[F. R. Doc. 54-5791; Filed, July 28, 1954; 8:52 a. m.]

[7 CFR Part 988]

[Docket No. AO-195-A6]

MILK IN KNOXVILLE, TENNESSEE, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENTS TO ORDER, AS AMENDED, REGULATING HANDLING OF MILK

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the act and the applicable rules of practice and procedure, as amended, to the order governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to a proposed marketing agreement and proposed amendments, as amended, regulating the handling of milk in the Knoxville, Tennessee, marketing area. Interested parties may file written exceptions to the decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed marketing agreement and order were formulated, was conducted at Knoxville, Tennessee on April 15-17, 1954, pursuant to notice thereof which was issued on March 26, 1954 (19 F. R. 1776).

The material issues considered at the hearing were concerned with the following:

1. Expansion of the marketing area.
2. The pricing of Class II milk.
3. Transfer of producer bases.

Findings and conclusions with respect to issue number 2 for the 1954 flush production season were reported in a decision of the Assistant Secretary issued April 27, 1954 (19 F. R. 2552). The amendment to the order in accordance with that decision became effective May 8, 1954. The findings and conclusions based upon the evidence introduced at the hearing and the record thereof relate to the remaining issues.

1. The marketing area should be expanded to include all of the territory within Knox County, all of the territory within the corporate limits of Alcoa and

Maryville in Blount County and all of that part of the Oak Ridge development which lies within Anderson County, all in the State of Tennessee.

The Knoxville marketing area, as presently defined, includes only the territory within the corporate limits of the City of Knoxville, in Knox County. Handlers proposed that the area be extended to include all of the territory within Knox, Blount, Anderson, Campbell and Jefferson Counties, all in the State of Tennessee.

Within the area herein proposed for extension only Grade A milk is permitted to be distributed and the respective health ordinances are patterned after the U. S. P. H. S. Milk Ordinance and code and are similar and equivalent to that presently in force in the City of Knoxville. Milk produced and handled under inspection of the City of Knoxville is eligible for sale, and is sold throughout the area. The record indicated that the responsible health officers in Knox County, Alcoa, and Maryville and in the City of Knoxville have reciprocal agreements whereby they recognize the ratings resulting from producer farm inspections within their respective jurisdictions. However, no milk handled under the inspection of any of these additional communities proposed for inclusion is distributed in the City of Knoxville.

More than 50 percent of the total Class I sales of handlers presently subject to the order occur outside of the City of Knoxville. For a representative week in March 1954, 40.7 percent of the Class I sales of 11 regulated handlers were within the City of Knoxville, 19.6 percent in Knox County exclusive of Knoxville, 12.7 percent in Anderson County and 10.3 percent in Blount County. The greater percentage of the sales in Anderson and Blount County occur in the development of Oak Ridge and the Cities of Alcoa and Maryville. More than 80 percent of all fluid milk sales in these localities are made by presently regulated handlers.

The area of extension as proposed by handler proponents historically represents their primary area of sales. In this area, however, they have in the past experienced substantial competition from unregulated distributors. Recently, moreover, an additional large unregulated distributor has extended milk distribution into this populated sales area. Regulated handlers contend that the successful entry of new distributors into this area depends upon the advantages in buying milk from farmers attendant upon the distributors' nonregulated status. Without deciding whether, in fact, the entry of this new distributor is based upon his nonregulated status, it nevertheless appears that potentially new distributors will enter this area and obtain sales outlets, due to the advantages of unregulated status. This would have the effect of reducing the quantity of Class I sales by regulated handlers which, in turn, would reduce prices payable to producers delivering under the Knoxville order. This could interfere with supplying milk from the most economical sources and at the lowest prices consistent with an adequate and dependable source of supply, both in the present Knoxville area and in the area as proposed to be extended. In order that the development of a marketing system for this area may proceed in the certainty that all milk sold in the area is purchased in accordance with the terms of the regulation and thereby to assure the most economical development of the marketing system for the area, it is concluded that the Knoxville marketing area should be extended to include all of Knox County, the Cities of Alcoa and Maryville, in Blount County, and that part of the Oak Ridge development which lies within Anderson County, all in the State of Tennessee.

Except to the extent indicated above, the handlers' proposal for the inclusion of all of Knox, Anderson, Blount, Jefferson and Campbell Counties in the marketing area should be denied. Total sales of regulated handlers in Campbell and Jefferson Counties represent only a very minor part of their total business. Furthermore, since milk need not be produced and marketed in accordance with Grade A standards in any of the additional area proposed by handlers (except for Knox County, Alcoa, Maryville and Oak Ridge), the quality of milk sold in this area need not be similar to that sold in the area which is herein proposed for regulation. It would be impracticable to require the payment of the same minimum prices for milk of different qualities. For this reason, the territory, other than Knox County, Alcoa, Maryville and Oak Ridge, is not included in the marketing area.

Because of the extension of the marketing area herein decided upon the possibility exists that milk subject to other Federal orders may enter the marketing area. A method for accomodating this milk into the regulatory scheme is therefore desirable.

The present order provisions, consequently, should be amended to exclude from regulation under this order any handler who operates a plant from which packaged milk is disposed of as Class I milk in this marketing area, which plant the Secretary determines disposes of a greater quantity of milk as Class I milk in another marketing area regulated by another order issued pursuant to the act. Such handler should, however, be required to file reports as prescribed by the market administrator and to permit the verification of such reports by examination of his plant records and facilities.

With the present limited marketing area the problem of a handler distributing under two marketing orders has not arisen. Extension of the marketing area increases the likelihood of direct competition from handlers regulated by other federal milk orders. Under the present provisions a handler actually regulated under another marketing order, but who distributes milk in this marketing area would also be fully subject to all of the provisions of this order. Such a situation would not only present serious administrative problems, but could result in considerable financial loss by either the pool or the particular handler. Adoption of this proposal will assure regulation of a handler by that order under which the greater volume of his Class I sales accrue.

2. No further change should be made in the basis of pricing Class II milk at this time. The Class II price under the order is based on the paying prices of nine local manufacturing milk plants. As a result of the Secretary's decision of April 27 and the subsequent order amendment, effective May 8, 1954, a credit of 6 cents per pound of butterfat is provided for milk utilized in the manufacture of butter through August 1954. Proponents proposed that the price for milk utilized in butter or transferred for other than fluid uses be reduced by any amount necessary to provide a ready market for such milk.

The Knoxville market does not have an excessive supply of producer milk during the short production season. Under usual circumstances it is advantageous to handlers to have a full supply of producer milk in the short season in order to avoid the necessity of importing higher cost supplemental supplies to meet minimum Class I needs. Since Class I sales are more or less uniform throughout the year it is obvious that normal seasonality of production will result in a more than adequate supply during the flush if supply and Class I sales are in balance during the short season.

The normal pricing provisions for surplus milk under this order yield prices which reflect the competitive value for milk made into the processed dairy products for which the surplus milk is used. There appears no reason why the normal surpluses of this market should not return to producers, at least this competitive value.

Producers have made substantial progress in their efforts to level production and they have every right to expect at least competitive manufacturing milk prices for their excess milk. The decision to provide a lower price for milk made into butter during the 1954 flush season was made in anticipation of an unusual seasonal excess and totally inadequate processing facilities.

3. The order provisions dealing with the transfer of producer bases should be amended to permit the free transfer of any base in its entirety provided the market administrator has been notified in writing prior to the last day of the month in which such transfer is to be effected. Under the present order provisions transfers are permitted only to immediate family members and then only in case of death, retirement or entrance into military service. Producer proponents contend that this imposes severe financial hardship in many instances where a producer, having established a satisfactory base, is forced to discontinue farming and liquidate his herd.

Under the present provisions the market administrator is required to make a judgment in each case involving a base transfer, in many instances in the light of a rather obscure factual situation. Since new bases are established each year there seems little reason to continue in force complicated and restrictive transfer rules which are difficult to administer. Permitting the free

transfer of bases will have no effect in the total volume of base milk, will substantially improve producer acceptance of the plan and greatly simplify the work of the market administrator. To protect the integrity of the plan it is necessary, however, that only the transfer of the entire base be permitted. In cases involving the dissolution of joint holdings that portion of the total base claimed by each joint holder should be considered as an entire base for transfer purposes.

General findings. (a) The proposed marketing agreement and the order, amending the order, as amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices for milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order amending the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed order amending the order, as amended, will regulate the handling of milk in the same manner as and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of interested parties in the market. The briefs contained suggested findings of fact, conclusions, and argument with respect to the proposals discussed at the hearing. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied.

Recommended marketing agreement and order. The following amendments to the order are recommended as the detailed and appropriate means by which these conclusions may be carried out. The proposed marketing agreements are not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as amended, and as proposed here to be further amended.

1. Delete the present language of § 988.5 and substitute therefor the following:

§ 988.5 *Knoxville, Tennessee, marketing area.* "Knoxville, Tennessee, marketing area," hereinafter called the "marketing area" means all of the territory with the boundaries of Knox County including the territory within the corporate limits of the City of Knoxville, all of the territory within the corporate limits of the Cities of Alcoa and Maryville and that territory within the limits of the development of Oak Ridge which lies within Anderson County, all in the State of Tennessee.

2. Delete § 988.61 (b) and substitute therefor the following:

(b) An entire base may be transferred by notifying the market administrator in writing before the last day of any month for which such base is to be transferred to the person named in such notice: *Provided*, That if the base is held jointly and such joint holding is terminated, the entire base transferable by any joint holder shall be his portion of such jointly held base as indicated by the joint holders.

3. Add a new § 988.91 as follows:

§ 988.91 In the case of any handler who operates a plant from which packaged milk is disposed of as Class I milk in the marketing area, which plant the Secretary determines disposes of a greater quantity of milk as Class I milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act than in this marketing area, the provisions of this order shall not apply with respect to the operator of such plant, except as follows: (a) The handler shall, with respect to his total receipts of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

Issued at Washington, D. C., this 26th day of July 1954.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 54-5792; Filed, July 28, 1954; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Foreign Assets Control

IMPORTATION OF CERTAIN MERCHANDISE DIRECTLY FROM HONG KONG

AVAILABLE CERTIFICATIONS BY THE GOVERNMENT OF HONG KONG

Notice is hereby given that certificates of origin issued by the Department of Commerce and Industry of the Government of Hong Kong under procedures agreed upon between that government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Hong Kong of the following additional commodities:

Cane webbing, handmade.
Wine, Chinese-type, non-medicinal.

[SEAL] ELTING ARNOLD,
Acting Director,
Foreign Assets Control.

[F. R. Doc. 54-5800; Filed, July 28, 1954; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

JULY 21, 1954.

Notice is given that the plat of original survey of the following described lands, accepted June 15, 1954, will be officially filed in the Land Office, Fairbanks, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

COPPER RIVER MERIDIAN

T. 18 N., R. 13 E.,
Sections 18, 19, and 20.

The area described contains 1,544.05 acres. Of the land described there is withdrawn by Public Land Order 975 of June 18, 1954, the following land:

(a) For Townsite purposes:

Section 18—Lots 9, 10, 12, 13, and 14; NE¼SW¼, and N½SE¼, and lands in U. S. Survey 2931 except as shown in (b).
Section 19—Lot 1 and lands in U. S. Survey 2931.
Section 20—Lots 3, 4, 5, 6, and 7.

(b) For use of the Department of the Army in connection with the Alaska Communications System as reserved in P. L. O. 975, Par. 2 (b).

TOK TOWNSITE

Block 3 E, Lots 1 to 8 inclusive; Block 4 E, Lots 1, 2, 3, 4, 11, 12, and 13, shown as Federal Reserve on supplemental plat accepted October 16, 1951, of U. S. Survey 2931.

(c) For use by the Alaska Road Commission as an administrative site.

Section 19—Lands in U. S. Survey 2722.

(d) The following described lands shall not become subject to initiation of any rights or to any disposition under the public land laws until it is so provided by an order of classification to be issued opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, with a 91-day preference right period for filing such applications by veterans of World War II and of the Korean conflict and others entitled to preference.

Section 19—All of Section 19 except U. S. Surveys 2722, 2723, 2724, 2725, 2626, and that portion of 2931 within Section 19.

Section 20—Lots 24, 25, 26, and 27; SW¼NW¼, NW¼SW¼, SW¼NE¼SW¼, W½NW¼NE¼SW¼.

The topography of the area is level to very gently rolling. It supports a sparse growth of small aspen, birch, and spruce.

It surrounds Tok Junction at the intersection of Glenn Highway and the Alaskan Highway.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order except that the lands are now open to application, petition, location, or selection under applicable laws, subject to valid existing rights, the requirements for classification, and withdrawal limitations. Pursuant to law, preference in consideration of competing applications will be granted as follows:

Priority category	Preferred applicant	Types of applications	Priority period closing dates (all days start at 10 a. m.)	How competing applications will be considered
1	Holders of individual preference rights based on valid settlement, statutory preference, or equitable claims.	As specified by law or regulation.	126 days from date of this notice.	Priority of right.
2	Veterans of World War II and of the Korean conflict, and other beneficiaries of the act of Sept. 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended.	Homestead, small-tract, homesite.	35 days from date of this notice.	Drawing at the close of the priority period.
3	do	do	91 days from the end of the second priority period.	Order of filing during the priority period.
4	Any other qualified person	Any type	126 days from date of this notice.	Drawing at the close of the priority period.
5	Any qualified person	do	Anytime after the end of the fourth priority period.	Order of filing.

Persons claiming veterans' preference rights under Priority Categories 2 and 3 must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge.

Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Detailed rules and regulations governing application which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations, as follows:

Subject:	Part or section
General	295.8 and 296.
Homesteads	166–170.
Desert land entries	232.
Small tracts	257.
Veterans' preference	181.35–181.47.

Inquiries concerning these lands and applications for them shall be addressed to The Manager, Land Office, Box 110, Fairbanks, Alaska.

CHESTER W. MCNALLY,
Acting Manager.

[F. R. Doc. 54-5770; Filed, July 28, 1954; 8:48 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 12, 1954.

An application, serial number Anchorage 024880, for the withdrawal from all forms of appropriation under the public land laws, of the lands described below was filed on July 20, 1953, by the Department of the Army.

The purposes of the proposed withdrawal: Military purposes.

For a period of thirty (30) days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Area Administrator, Area IV, Bureau of Land Management, Department of the Interior at Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

A parcel of land which is a portion of Lot 6, Sec. 4, T. 5 N., R. 11 W., S. M., more particularly described as follows:

Commencing at U. S. I. M. No. 32A, said monument also being Corner No. 1 of U. S. Survey No. 104; thence S 59°00' E for a distance of approximately 200 feet to a point on the mean high water line of the Kenai River and the True Point of Beginning for this description; thence N 44° 00' E for a distance of 480 feet, more or less, to a point; thence S 43° 00' E for a distance of 280 feet, more or less, to a point; thence S 48° 00' W for a distance of 550 feet, more or less, to a point on the mean low water line of the Kenai River; thence in a northwesterly direction along said water line for a distance of 240 feet, more or less, to a point that is S 44° 00' W 110 feet, more or less, from the Point of Beginning; thence N 44° 00' E for a distance of 110 feet, more or less, to the point of beginning and containing 3.42 acres, more or less.

LOWELL M. PUCKETT,
Area Administrator.

[F. R. Doc. 54-5768; Filed, July 28, 1954; 8:47 a. m.]

MONTANA

NOTICE OF FILING OF PLAT OF SURVEY

JULY 21, 1954.

Notice is given that the plat of island survey of the following described lands, accepted March 24, 1954, will be officially filed in the Land Office, Billings, Montana, effective 10:00 a. m. on the 35th day after the date of this notice.

PRINCIPAL MERIDIAN, MONTANA

T. 16 North, R. 14 West,
Section 31: Lot 11.

The area described aggregates 0.19 acre.

This plat represents the survey of a small island in Salmon Lake omitted in the original survey, and designated as lot 11, Sec. 31, T. 16 N., R. 14 W., Principal Meridian, Montana. Reference is made to the plat approved March 31, 1892, for the showing of the areas, except for new lot 11.

According to the field notes and as shown by the plat, the island is situated in the northeast corner of Section 31. The area along the north shore of Salmon Lake may be reached by an oiled highway from Missoula, Montana, about forty miles distance.

The soil found on this island is a gravelly loam and produces very dense undergrowth. The island was found to be six feet above the level of Salmon Lake at the time of the survey.

The timber on the island consists of pine, fir and cedar, just a few large trees with dense undergrowth of willows, alders and rose briers.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one-day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m.

on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Billings, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, 1245 North 29th Street, Billings, Montana.

ORVAL G. HADLEY,
Manager, Land Office.

[F. R. Doc. 54-5767; Filed, July 28, 1954; 8:46 a. m.]

MONTANA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 20, 1954.

An application, serial number Montana 012923, for the withdrawal from all forms of appropriation under the public land laws, including the mining laws, but not the mineral-leasing laws, of the lands described below was filed on April 20, 1954, by Department of Agriculture, Forest Service.

The purposes of the proposed withdrawal: For use in connection with the Sheep Creek Administrative Site.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior at Billings, Montana. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

T. 15 S., R. 10 W., P. M., Montana,
Sec. 9: NE¼SE¼NW¼, W½SE¼NW¼, W½SE¼SE¼NW¼, NE¼SW¼.

The area described contains 75.0 acres.

R. D. NIELSON,
State Supervisor.

[F. R. Doc. 54-5769; Filed, July 28, 1954; 8:48 a. m.]

NEW MEXICO

CLASSIFICATION ORDER

JULY 21, 1954.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 541, dated April 21, 1954, 19 F. R. 2473, I hereby classify, as hereinafter indicated, under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, the following described lands in the New Mexico land district, embracing approximately 90.02 acres:

NEW MEXICO SMALL TRACT CLASSIFICATION No. 35

For lease and sale for home or business sites:

T. 26 S., R. 20 W., N. M. P. M.,
Sec. 3, lots 7, 8, 9, 10, 16, 17, 18, 19, 25, 26, 27, 28, 31, 32, 33, 34, 38, 39, 40, 41, 47, 48, 49, 50.

For lease and sale for homesites only:

T. 26 S., R. 20 W., N. M. P. M.,
Sec. 3, lots 5, 6, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 29, 30, 35, 36, 37, 42, 43, 44, 45, 46.

These lands are located in the Animas Valley, about 25 miles southwest of Lordsburg, New Mexico and about 10 miles north of the small settlement of Animas, New Mexico. State Highway No. 180 traverses the area. Topography is flat and level and soil is sandy loam. The lands are within the Animas Underground Water basin which has been closed to the filing of applications for appropriation of underground water for irrigation purposes. Water for domestic purposes may be obtained from wells at a depth of less than 100 feet.

2. As to applications filed on these lands prior to 10:30 a. m., May 29, 1951, this order shall become effective upon the date it is signed, provided said applications are made to conform to the land descriptions contained in this order.

3. This order shall not otherwise become effective to change the status of such lands until 10:30 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act as follows:

(a) Ninety-one day period for preference-right filings. For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject to applications under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:30 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:30 a. m. on the said 35th day shall be considered in the order of filing.

(b) Date for non-preference-right filings. Commencing at 10:30 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:30 a. m. on the 126th day after the date of this order shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. Each of the lots will be leased as one tract. Leases will be for a period of three years. Annual rental for tracts leased as homesites is $5.00, payable for the entire lease period in advance of issuance of the lease. Minimum annual rental for tracts leased as business sites is $20.00, payable for the entire lease period in advance of issuance of the lease. A lessee for a business site shall

be obligated to pay any additional rental at the rate fixed by the schedule of rentals in effect at the date of the approval of his lease.

6. Leases will contain an option to purchase clause at the appraised price. Tracts classified herein for lease and sale for home or business sites have been appraised at $150.00 per tract. Tracts classified herein for lease and sale for homesites only have been appraised at $100.00 per tract.

(a) Applications for purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease, provided that minimum improvements suitable for the purpose for which the lease is issued shall have been constructed prior to the date of application to purchase. In the case of homesites, minimum improvements shall consist of a habitable house of substantial construction with at least two rooms and a minimum floor area of 300 square feet.

(b) Leases issued under the terms of this order shall not be subject to assignment unless and until improvements as mentioned in (a) above shall have been constructed.

(c) Leases for lands upon which the improvements mentioned above shall not have been constructed at or before the expiration thereof shall not be renewed.

7. Tracts will be subject to all existing rights-of-way and to rights-of-way for road purposes and public utilities as follows:

50 feet along north boundaries of lots 5 to 12, inclusive.

50 feet along west boundaries of lots 12 and 13.

33 feet along south boundaries of lots 13, 14, 15, 17, 19, 20, 21, 22, 30, 32, 34, 35, 36, 44, 45, 46, 48, and 50.

33 feet along north boundaries of lots 23, 24, 25, 27, 29, 37, 38, 40, 42, and 43.

33 feet along east boundaries of lots 5, 7, 11, 14, 20, 22, 23, 25, 26, 33, 34, 36, 37, 42, 45, 49, and 50.

33 feet along west boundaries of lots 6, 10, 15, 21, 24, 29, 30, 35, 40, 41, 43, 44, and 46.

The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of patent. If not so located, they may be subject to location after patent is issued. All rights-of-way herein mentioned and reserved may be utilized by the Federal Government, or by the State, County or municipality in which the tract is situated, or by any agency thereof.

8. Lessees and/or their successors in interest shall comply with all Federal, State, County and municipal laws and ordinances, especially those governing health and sanitation, and failure or refusal to do so may be cause for cancellation of the lease in the discretion of the authorized officer of the Bureau of Land Management.

9. All inquiries relating to these lands should be addressed to the Manager, Land Office, Santa Fe, New Mexico.

E. R. SMITH,
State Supervisor.

[F. R. Doc. 54-5771; Filed, July 28, 1954; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY THE GEORGIA STATE AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE

The Marketing Quota Regulations for the 1954 Crop of Peanuts (19 F. R. 2505), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301–1393), provides that any authority delegated to the State Agricultural Stabilization and Conservation Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the Georgia State Agricultural Stabilization and Conservation Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. There are set out below the sections of the regulations in which such authority appears and the person of the Agricultural Stabilization and Conservation to whom the authority has been redelegated.

GEORGIA

Sections 729.541 (1) (2) and 729.577 (c)—John F. Bradley, Chairman, State ASC Committee; William H. Weaver, State ASC Committeeman; W. B. Sexton, State ASC Committeeman; Claude F. Fleming, Chief, Programs Division; Arthur C. Jarrell, Marketing Quota Specialist; and M. S. Fendley, Assistant Marketing Quota Specialist.

Sections 729.548 (d) (3), 729.553 (b), 729.553 (c), 729.557 (b), 729.561 (b) (2) and 729.562 (d)—John F. Bradley, Chairman, State ASC Committee; William H. Weaver, State ASC Committeeman; and W. B. Sexton, State ASC Committeeman.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361–368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361–1368, 1372, 1373, 1374, 1376, 1388)

Issued at Washington, D. C., this 26th day of July 1954.

[SEAL] J. A. MCCONNELL,
Administrator,
Commodity Stabilization Service.

[F. R. Doc. 54-5794; Filed, July 28, 1954; 8:53 a. m.]

Office of the Secretary

TRANSFER OF CERTAIN FUNCTIONS WITH RESPECT TO THE FEED AND HAY PROGRAMS TO THE FARMERS HOME ADMINISTRATION

Pursuant to the authority contained in section 42 (d) of the Bankhead-Jones Farm Tenant Act, as amended (7 U. S. C. 1016 (d)), Reorganization Plan No. 2 of 1953, and the delegation from the Administrator, Civil Defense Administration, as amended (18 F. R. 4609, 19 F. R. 2148), section 1400 of the Secretary's Order of December 24, 1953 (19 F. R. 74), is further amended so as to transfer to the Farmers Home Administration the function and responsibility of providing eligibility rules and certifications for applicants for assistance in obtaining livestock feed, including hay, and to assign to the county committees established under the Bankhead-Jones Farm Tenant Act, as amended, the additional function of certifying applicant's eligibility, and to read as follows:

SEC. 1400. *Assignment of functions.*
* * *

o. The establishment of rules and regulations for determining the eligibility of farmers and stockmen for assistance in obtaining livestock feed, including hay, under cooperative agreements with the several States executed pursuant to Public Law 875, 81st Cong., and the allocation of funds dated October 7, 1953, or pursuant to programs administered under the authority of Public Law 38, 81st Cong., as amended by Public Law 115, 83d Cong., or sec. 301 of Public Law 480, 83d Cong., 2d Sess., and the certification of eligible applicants pursuant to such rules and regulations by county committees established under the Bankhead-Jones Farm Tenant Act, as amended.

Done at Washington, D. C., this 26th day of July 1954.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 54-5795; Filed, July 28, 1954; 8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-209]

STANDARD POWER AND LIGHT CORP.

MEMORANDUM OPINION AND SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER FEE AND EXPENSES FOR LEGAL SERVICES

JULY 23, 1954.

On May 14, 1954, the Commission issued an order for hearing (Holding Company Act Release No. 12496) with respect to certain applications for fees and expenses on account of services rendered in connection with various proceedings, including the above entitled matter, involving the reorganization of Standard Power and Light Corporation ("Standard Power"), a registered holding company, and its subsidiary companies pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935. Among the applications noticed for hearing was that of Aaron, Aaron, Schimberg & Hess ("Schimberg"), who requested a fee allowance of $22,500 and reimbursement of expenses in the amount of $5,236.40 for legal services rendered as counsel for a committee for the $7 Preferred Stockholders of Standard Power.

A hearing with respect to the Schimberg application was duly held on June

14, 1954, at which Lewis Schimberg, a member of the firm, testified in support of the application. He was cross-examined by counsel for the company and for our Division of Corporate Regulation. After the hearing was closed, Schimberg reached an agreement with Standard Power to settle his firm's claim for $10,000 as a fee plus $5,236.40 in reimbursement of expenses and on July 15, 1954, the firm filed an amended application requesting our approval of such agreement. The company has also indicated its willingness to pay such amounts.

We have reviewed the record with respect to this application and are of the opinion that the amounts agreed upon are reasonable and are for necessary services, that an order should be entered approving and directing the payment thereof, and that the jurisdiction heretofore reserved with respect to such fee and expenses should be released.

It is therefore ordered, That the application, as amended, for an allowance for services and reeimbursement of expenses filed by Aaron, Aaron, Schimberg & Hess be, and hereby is, approved, and Standard Power and Light Corporation is directed to pay the amounts hereinabove specified.

It is further ordered, That the jurisdiction heretofore reserved with respect to the fee and expenses of Aaron, Aaron, Schimberg & Hess be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-5776; Filed, July 28, 1954; 8:49 a. m.]

[File No. 70-3271]

UNITED GAS PIPE LINE CO.

ORDER REGARDING ACQUISITION OF SHARE OF STOCK IN RESEARCH ORGANIZATION

JULY 23, 1954.

United Gas Pipe Line Company ("Pipe Line"), a subsidiary of United Gas Corporation, which is in turn a subsidiary of Electric Bond and Share Company, a registered holding company, having filed an application pursuant to sections 9 (a) (1) and 10 of the Public Utility Holding Company Act of 1935 ("act"), regarding a certain proposed transaction, which is summarized as follows:

Pipe Line proposes to acquire one share of non-dividend bearing common stock, with a par value of $100 per share, of Fractionation Research, Inc. ("Fractionation"), for a cash consideraton of $100. In connection with such acquisition, Pipe Line will become entitled to certain benefits and will assume certain obligations as provided for in a contract between Fractionation and each of its stockholders.

Pipe Line is engaged in the purchase, transportation and sale of natural gas. It also operates plants for the extraction of natural gasoline and other liquid hydrocarbons. At December 31, 1953, Pipe Line owned and operated gasoline extraction plants having a daily delivery capacity of approximately 583,000 gallons and its gasoline production from natural gas for the year 1953 was 122,984,900 gallons.

Fractionation was organized in April 1952, as a non-profit research organization for the purpose of investigating and developing a more efficient design and construction of fractionating equipment to be utilized principally in the operation of natural gasoline extraction plants. Fractionation is authorized to issue 250 shares of stock, $100 par value, and it presently has 42 stockholder companies. Each stockholder company agrees to a 5-year program commencing September 30, 1952, and ending September 30, 1957. However, a majority of stockholders may decide that the purposes for which Fractionation was organized have been accomplished or are impossible of accomplishment at an earlier date than September 30, 1957, and upon such decision, Fractionation will be dissolved and its assets distributed. Each stockholder is entiled to receive a copy of all reports of technical findings, devices or processes developed during the program and undertakes to contribute to Fractionation a portion of the latter's operating expenses. The contribution of each stockholder is graduated according to the gasoline production capacity of the contributor. The minimum contribution is $5,000 and the maximum $100,000, covering the 5-year period. It is estimated that Pipe Line's contribution over the 5-year period will be $5,500. Each stockholder is entitled to representation on the Board of Directors to the extent of being represented by one director.

The application states that no State or Federal Commission, other than this Commission, has jurisdiction over the proposed transaction.

It is requested that the Commission's order be made effective upon issuance.

It is stated that expenses in connection with the proposed transaction will be nominal.

Due notice of the filing of said application having been given in the manner prescribed by Rule U-23, and no hearing having been requested of or ordered by the Commission; and

The Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied; that the expenses are not unreasonable; and that the application should be granted, the order herein to be effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act that said application be, and the same hereby is, granted effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-5777; Filed, July 28, 1954; 8:49 a. m.]

[File No. 70-3272]

STANDARD POWER AND LIGHT CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE REGARDING PROPOSAL TO EXTEND BANK LOAN FOR ONE YEAR

JULY 23, 1954.

Standard Power and Light Corporation ("Standard Power"), a registered holding company, has filed a declaration, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act"), regarding a proposal to extend its outstanding bank loan indebtedness to The Hanover Bank of New York ("Hanover Bank").

On July 29, 1953, in connection with the retirement of its then outstanding preferred stock, Standard Power borrowed from Hanover Bank $2,400,000 payable one year after date, with interest at 3½ percent, and with the privilege of extending such loan for an additional year, subject to the approval of this Commission. Standard Power now proposes, pursuant to a loan extension agreement dated June 25, 1954, to extend for one year from July 29, 1954, the payment of the unpaid balance of $1,500,000 of its said bank loan indebtedness with interest at 3¼ percent, payable monthly in advance. The company will have the right at any time to prepay all or any part of the loan without premium and to a refund of unearned interest.

Notice of the filing of the declaration having been duly given in the manner provided by Rule U-23 of the rules and regulations under the act, and no hearing in respect of the proposed transaction having been requested of or ordered by the Commission; and

The Commission having examined the declaration and finding that the applicable provisions of the act and the rules and regulations thereunder have been satisfied, and observing no basis for adverse findings or the imposition of terms and conditions other than those specified in Rule U-24, and the Commission deeming it appropriate in the public interest and in the interest of investors to permit said declaration to become effective forthwith, as requested:

It is ordered, That the said declaration be, and it hereby is, permitted to become effective, forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-5775; Filed, July 28, 1954; 8:49 a. m.]

[File No. 812-888]

NEW YORK CAPITAL FUND OF CANADA, LTD.

NOTICE OF APPLICATION BY CANADIAN INVESTMENT COMPANY FOR ORDER PERMITTING ITS REGISTRATION AND SALE OF ITS SECURITIES IN THE UNITED STATES

JULY 23, 1954.

Notice is hereby given that New York Capital Fund of Canada, Ltd. ("Applicant"), an investment company incorpo-

rated under the Companies Act of Canada, has filed an application, and an amendment thereto, under section 7 (d) of the Investment Company Act of 1940 ("act") and Rule N-7D-1 thereunder, seeking an order of the Commission permitting Applicant to register as an investment company under the act and to make a public offering of its securities in the United States.

Section 7 (d) of the act, among other things, prohibits a foreign investment company from selling its securities to the public through the mails or any means or instrumentality of interstate commerce unless the Commission, upon application, issues a conditional or unconditional order permitting such company to register under the act and to make a public offering of its securities in the United States. To issue such an order the Commission must find that, by reason of special circumstances or arrangements, it is both legally and practically feasible effectively to enforce the provisions of the act against such company and that the issuance of such order is otherwise consistent with the public interest and the protection of investors.

Applicant was organized on June 16, 1954, for the purpose of engaging in the business of an investment company and proposes to concentrate substantially all of its assets in securities of Canadian companies, however, reserving the right to invest up to one-third of its total assets in securities of other issuers deriving their income from sources other than the United States. Applicant expects to enter into an investment advisory contract with Empire Trust Company of New York under the terms of which it will furnish to the Applicant investment research and advice, a complete investment program and constant investment supervision for the portfolio. The agreement will expressly permit Empire Trust Company to obtain investment research advice and assistance from Carl M. Loeb, Rhoades & Co., and Stein, Roe and Farnham.

Its authorized capital stock consists of 1,000,000 Common Shares and 1,000 Deferred Shares, each with a par value of $1 per share. Common Shares and Deferred Shares have the same rights except that Deferred Shares have no redemption rights. Applicant represents that it will not issue any of its Deferred Shares. Applicant intends to sell all of its authorized 1,000,000 Common Shares to the public in the United States (and possibly elsewhere outside of Canada) to realize a net of $20,000,000.

When Applicant has received a total of $1,000,000 as consideration for its Common Shares, shareholders will thereafter have the right, pursuant to its Charter to require Applicant to repurchase their shares at net asset value, and Applicant proposes then to operate as a non-diversified open-end management investment company.

Applicant has made undertakings and agreements provided for by Rule N-7D-1. Such undertakings and agreements, coupled with the provisions of the Applicant's charter and by-laws, are submitted by the Applicant as special circumstances and arrangements justifying the entry of the requested order.

The Applicant's charter and by-laws taken together contain, in effect, the substantive provisions of the act applicable to open-end investment companies which provisions the Applicant has agreed may be enforced as a matter of contract right in the United States or Canada by Applicant's shareholders.

Applicant's by-laws also contain, among other things, provisions summarized as follows: (1) That all of the securities, cash (other than cash in an amount not in excess of $10,000), and a duplicate set of its books, will be maintained in the custody of a bank in the United States; (2) that at least a majority of Applicant's directors will be citizens fo the United States, and that a majority of the latter will be residents of the United States; (3) that at least a majority of Applicant's officers will be citizens and residents of the United States; (4) that Applicant will retain an independent public accountant with a permanent office and place of business in the United States; (5) that any investment adviser of Applicant will maintain its books and records relating to Applicant in the United States; (6) that any principal underwriter of Applicant will be a resident and citizen of the United States, or a corporation, partnership or association which is organized under the laws of a state of the United States, and having its principal place of business therein.

Applicant has undertaken and agreed in its application, among other things, (i) that its charter and by-laws will constitute a contract among Applicant, its shareholders, its officers, its directors and that such instruments will not be amended in material respects without permission of the Commission; (ii) that Applicant's present and future officers, directors, investment advisers, principal underwriter and custodian will enter into agreements to comply with the act. Applicant's charter, by-laws, and undertakings contained in the instant application; (iii) that Applicant's agreements shall enure to the benefit of Applicant's shareholders as parties and beneficiaries; and (iv) that breach of the aforesaid agreements or violation of the act by any of the contracting parties will permit revocation of the requested order and the liquidation and distribution of Applicant's assets.

Other agreements and undertakings contained in the application are designed to facilitate the enforcement of the act by the Commission or Applicant's shareholders in appropriate courts of the United States or Canada. To that end each of the contracting parties who are not citizens and residents of the United States will appoint, irrevocably, an agent within the United States for service of process. To ensure the applicability of the act to purchases and sales of portfolio securities not made on an established securities exchange, Applicant has agreed that its custodian will consummate such transactions only in the United States and that the mails or means of interstate commerce will be employed.

Applicant states that a heavy preponderance of its portfolio securities will be traded on the Toronto Stock Exchange or Montreal Stock Exchange rather than the New York Stock Exchange. In view thereof Applicant seeks exemption from section 22 (e) (1) of the act to the extent that it may be permitted to suspend the right of redemption of its shares during periods when the Montreal Stock Exchange or Toronto Stock Exchange is closed as well as when the New York Stock Exchange is closed, as provided in section 22 (e) (1).

Applicant also states that the Companies Act of Canada requires that Applicant's auditors be selected by its shareholders and, therefore, seeks exemption from section 32 (a) of the act to the extent that that section requires such selection be made by Applicant's Board of Directors and ratified (rather than made) by its shareholders.

Notice is further given that any interested person may, not later than August 6, 1954, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing in the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-5778; Filed, July 28, 1954; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29516]

SULPHURIC ACID FROM NEW ORLEANS, LA., TO POINTS IN MISSISSIPPI

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Sulphuric acid, in tank-car loads.

From: New Orleans, La.

To: Points in Mississippi.

Grounds for relief: Rail competition, circuity, and rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1357, supp. 48.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As pro-

vided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5779; Filed, July 28, 1954; 8:49 a. m.]

[4th Sec. Application 29517]

ZINC, PIG, SLAB, OR SPELTER FROM ARKANSAS, OKLAHOMA AND TEXAS TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Zinc, pig, slab, or spelter, carloads.

From: Points in Arkansas, Oklahoma, and Texas.

To: Specified points in Massachusetts, Maine, Ohio, Virginia, Pennsylvania, and New York.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4045, supp. 45.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5780; Filed, July 28, 1954; 8:50 a. m.]

[4th Sec. Application 29518]

SCRAP OR WASTE PAPER FROM THE SOUTHWEST TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Paper, scrap or waste, carloads.

From: Specified points in Oklahoma and Texas, and Springfield, Mo.

To: Specified points in Michigan, New Jersey, New York, Ohio, and Pennsylvania.

Grounds for relief: Rail competition, circuity, rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4109, supp. 15; F. C. Kratzmeir, Agent, I. C. C. No. 3967, supp. 367; F. C. Kratzmeir, Agent, I. C. C. No. 3908, supp. 195.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5781; Filed, July 28, 1954; 8:50 a. m.]

[4th Sec. Application 29519]

SCRAP OR WASTE PAPER FROM LOUISIANA AND ARKANSAS TO STROUDSBURG, PA., AND PATERSON, N. J.

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Scrap or waste paper in carloads.

Territory: (a) from Elizabeth, La., to Paterson, N. J., and (b) from Crossett and Camden, Ark., Monroe, West Monroe, and Advance, La., to Stroudsburg, Pa.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3992, supp. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5782; Filed, July 28, 1954; 8:50 a. m.]

[4th Sec. Application 29520]

SAND AND GRAVEL FROM OMEGA, OHIO, TO BIRMINGHAM, ALA.

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. No. 4510.

Commodities involved: Sand and gravel, carloads.

From: Omega, Ohio.

To: Birmingham, Ala.

Grounds for relief: Rail competition and circuitous routes.

Schedules filed containing proposed rates: Agent H. R. Hinsch's tariff I. C. C. No. 4510, supp. 51.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing,

upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5783; Filed, July 28, 1954; 8:50 a. m.]

[4th Sec. Application 29521]

ALCOHOL FROM LOUISIANA TO ONTONAGON, MICHIGAN

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Agent W. P. Emerson, Jr., for carriers parties to his tariff I. C. C. No. 400.

Commodities involved: Alcohol and related articles, carloads.

From: Baton Rouge, Gretna, New Orleans, North Baton Rouge, and Westwego, La.

To: Ontonagon, Mich.

Grounds for relief: Rail competition, circuity, and operation through higher-rated territory.

Schedules filed containing proposed rates: Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 400, supp. No. 91.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5784; Filed, July 28, 1954; 8:50 a. m.]

[4th Sec. Application 29522]

FIBREBOARD CANS FROM JOLIET, ILL., TO MICHIGAN AND OHIO

APPLICATION FOR RELIEF

JULY 26, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Agent H. R. Hinsch, for carriers parties to The New York Central Railroad Company's tariff I. C. C. No. 1123 and other carriers, pursuant to Fourth Section Order No. 17220.

Commodities involved: Cans, empty, noibn, fibreboard, paper or pulpboard, with or without metal tops or bottoms, set up, carloads.

From: Joliet, Ill.

To: Akron and Rittman, Ohio, Manistee, Marysville, and St. Clair, Mich.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-5785; Filed, July 28, 1954; 8:50 a. m.]